

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

LATIQUE JOHNSON, et al.,

Defendants.

No. 16 Cr. 281 (PGG)

NOTICE OF MOTION

PLEASE TAKE NOTICE, that the defendant LATIQUE JOHNSON, by his attorney EZRA SPILKE, ESQ., will move the Court, before the Honorable Paul G. Gardephe, United States District Judge for the Southern District of New York, for an Order:

1. Pursuant to Federal Rule of Criminal Procedure 33(a) and (b)(1), vacating Mr. Johnson's conviction of Count 3 of the above-referenced indictment; or
2. In the alternative, directing that an evidentiary hearing be held outside the presence of the jury before trial to determine whether the interest of justice requires vacatur; and
3. Granting such other and further relief as the Court may deem just and proper.

Dated: Brooklyn, New York
August 17, 2021

/s/ Ezra Spilke
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